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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

(HONORABLE BARRY T. MOSKOWITZ)

UNITED STATES OF AMERICA, Plaintiff, v. **OMAR JINESTA (1)** **MARTIN CUNNINGHAM (2)** **JENNIFER JINESTA (3)** **BENJAMIN CUNNINGHAM (4)** Defendants.	Criminal Case No. 08-286-BTM **JOINT MOTION TO CONTINUE MOTION HEARING**

IT IS HEREBY JOINTLY MOVED by the parties in the case, defendants Omar Jinesta, Martin Cunningham, Jennifer Jinesta, and Benjamin Cunningham, by and through their counsel, Lewis Muller, Debra DiIorio, Casey Donovan, Michael Messina, and the United States Attorney's Office, by and through Assistant United States Attorney Randy Jones, that the motion hearing in the above-entitled case, scheduled for May 2, 2008, at 1:30 p.m., be continued until June 6, 2008, at 2:00 p.m. The parties further agree that the time between May 2, 2008 until June 6, 2008, is excludable under the Speedy Trial Act.

Martin Cunningham, Jennifer Jinesta, and Benjamin Cunningham are on bond and will file an acknowledgment of next court date; Omar Jinesta is in custody.

A proposed order with respect to this joint motion is being submitted directly to the court.

Date: April 24, 2008

s/Randy Jones
RANDY JONES
Assistant United States Attorney

Date: April 24, 2008

s/Lewis Muller
LEWIS MULLER
Attorney for Defendant Omar Jinesta

Date: April 24, 2008

s/. Debra A. DiIorio
DEBRA A. DiIORIO
Attorney for Defendant Martin Cunningham

Date: April 24, 2008

s/. Casey Donovan Jr.
CASEY DONOVAN JR.
Attorney for Defendant Jennifer Jinesta

Date: April 24, 2008

s/. Michael Messina
MICHAEL MESSINA
Attorney for Defendant Benjamin Cunningham

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IT IS HEREBY CERTIFIED THAT:

I, DEBRA A. DiIORIO, am a citizen of the United States and am at least eighteen years of age. My business address is 964 Fifth Avenue, Suite 214, San Diego, California, 92101.

I am not a party to the above-entitled action. I have caused service of the Joint Motion to Continue Motion Hearing on the parties by electronically filing the foregoing with the clerk of the District Court using its ECF System, which electronically notifies them.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 24, 2008.

/s/ Debra A. DiIorio
DEBRA A. DiIORIO